UNITED STATES PATENT AND TRADEMARK OFFICE

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GANZ LAW, P.C.
P O BOX 2200
HILLSBORO, OR 97123

EXAMINER
FISHER, PAUL R

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	**Applicant(s)**
Office Action Summary	09/881,353	MOHIT ET AL.
	Examiner	**Art Unit**	
	PAUL R. FISHER	3689	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _26 June 2008_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-59 and 64-67_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-59 and 64-67_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on _12 June 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   Amendment submitted on June 26, 2008 has been acknowledged. Claims 60-63

have been withdrawn. Claims 1-59 and 64-67 are currently pending and have been

considered below.

Claim Objections

2.   Claim 3 is objected to because of the following informalities: In claim 3, line 2

there appears to be a word missing in the line "is embedded by computer system" it

appears to be missing the word the. Appropriate correction is required.

3.   Claim 28 is objected to because of the following informalities: In claim 28, line 3

there appears to be too many words in the line "identifier for to a key element" it

appears the word to does not belong. Appropriate correction is required.

4.   Claim 66 is objected to because of the following informalities: In claim 66, line 9

there appears to be too many words in the line "elements and corresponding identifiers;

and and wherein the key list is stored" it appears the second and does not belong.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

6.   Claims 1-21, 27-44, 54-59 and 64-65 are rejected under 35 U.S.C. 112, second

paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention.

7.   In claim 1, the claim is drawn to a method in a system it unclear to the Examiner

what statutory class is being claimed, for purposes of examination the Examiner is

taking it to be a method claim where the preamble is setting the environment in which

the method is being used. See 101 rejection below.

8.   Further in claim 1, the term "a content provider" in claim 1, line 4, renders the

claim indefinite it is unclear to the Examiner if this is the same as the content provider

mentioned in the preamble or another new content provider.

9.   Claim 11 recites the limitation "the target document" in line 1 of claim 11. There

is insufficient antecedent basis for this limitation in the claim. There is no target

document mentioned in any of the preceding claims in which claim 11 depends from.

10.   Claim 19 recites the limitation "the recognizer" in line 2 of claim 19. There is

insufficient antecedent basis for this limitation in the claim. There is no recognizer

mentioned in any of the preceding claims in which claim 19 depends from.

11.   Claims 2-19 depend from claim 1 and are therefore rejected upon the same

rationale.

12.   In claim 20, the claim is drawn to a method in a system it unclear to the Examiner

what statutory class is being claimed, for purposes of examination the Examiner is

taking it to be a method claim where the preamble is setting the environment in which

the method is being used. See 101 rejection below.

13.   Claim 21, depends form claim 20 and is therefore rejected upon the same rationale.

14.   In claim 27, the claim is drawn to a method in a system it unclear to the Examiner what statutory class is being claimed, for purposes of examination the Examiner is taking it to be a method claim where the preamble is setting the environment in which the method is being used. See 101 rejection below.

15.   Claims 28-32, depend from claim 27 and are therefore rejected upon the same rationale.

16.   In claim 33, the claim is drawn to a method in a system it unclear to the Examiner what statutory class is being claimed, for purposes of examination the Examiner is taking it to be a method claim where the preamble is setting the environment in which the method is being used. See 101 rejection below.

17.   Claim 33 recites the limitation "the original document" in line 6 of claim 33. There is insufficient antecedent basis for this limitation in the claim. It is unclear to the Examiner if this original document is the same as the electronic document or if it is some other document not previously mentioned.

18.   Claims 34-44 depend from claim 33 and are therefore rejected upon the same rationale.

19.   In claim 54, it is unclear as to what statutory category the applicant is attempting to claim, for purposes of examination the Examiner is taking that the applicant intents to claim a computer program product.

20.   Claims 55-59 depend from claim 54 and are therefore rejected upon the same

rationale.

21.   In claim 64, the claim is drawn to a method in a system it unclear to the Examiner

what statutory class is being claimed, for purposes of examination the Examiner is

taking it to be a method claim where the preamble is setting the environment in which

the method is being used. See 101 rejection below.

22.   In claim 65, the claim is drawn to a method in a system it unclear to the Examiner

what statutory class is being claimed, for purposes of examination the Examiner is

taking it to be a method claim where the preamble is setting the environment in which

the method is being used. See 101 rejection below.

Claim Rejections - 35 USC § 101

23.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

24.   Claims 1-47 and 64-66 rejected under 35 U.S.C. 101. Based on Supreme Court

precedent and recent Federal Circuit decisions, the Office's guidance to an examiner is

that a § 101 process must (1) be tied to a particular machine or apparatus or (2)

transform underlying subject matter (such as an article or materials) to a different state

or thing. Diamond v. Diehr, 450 U.S. 175, 184 (1981); Parker v. Flook, 437 U.S. 584,

588 n.9 (1978); Gottschalk v. Benson, 409 U.S. 63, 70 (1972); Cochrane v. Deener, 94

U.S. 780, 787-88 (1876).

To qualify as a § 101 statutory process, the claim should recite the particular machine or apparatus to which it is tied, for example by identifying the machine or apparatus that accomplishes the method steps, or positively reciting the subject matter that is being transformed, for example by identifying the material that is being changed to a different state.

There are two corollaries to the machine-or-transformation test. First, a mere field-of-use limitation is generally insufficient to render an otherwise ineligible method claim patent-eligible. This means the machine or transformation must impose meaningful limits on the method claim's scope to pass the test. Second, insignificant extra-solution activity will not transform an unpatentable principle into a patentable process. This means reciting a specific machine or a particular transformation of a specific article in an insignificant step, such as data gathering or outputting, is not sufficient to pass the test.

Here, applicant's method steps fail the first prong of the new test because while the applicant has recited structural components such as computer systems at no point has any of the computer system been tied to a significant step. That is to say a computer system merely gathering data or transferring data or displaying data is not enough to show a tie to a specific machine. Specifically claim 1 for example while there are computers being claimed the two steps of recognizing and generating are not being done by the any of the computer systems. Claim 20 recites on a first computer system recognizing but it is unclear if the first computer system is doing the recognizing or it is simply a user using the computer to recognize an element. In claim 22 fails to recite a

machine performing any of the steps of the method except for sending data which as explained above is considered insignificant extra-solution activity. Claim 27 again states on a first computer system and merely sending instructions. Claims 33, 45 and 64-66 also fail to recite a particular machine carrying out significant steps for reasons similar to those explained above.

Further, applicant's method steps fail the second prong of the test because there is no underlying subject matter has been transformed.

25.   Claims 54-59 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Specifically it is unclear to the Examiner what statutory class the applicant has claimed with a web document. It appears to the Examiner that a web document is merely a website and a website does not fall into one of the statutory classes specifically it is not a process, machine, manufacture or composition of matter.

26.   Claims 1-21, 27-44 and 64-65 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. 35 USC 101 requires that in order to be patentable the invention must be a "new and useful process, machine, manufacture, **or** composition of matter or any new and useful improvement thereof" (emphasis added). Applicant's claims mentioned above are intended to embrace or overlap two different statutory classes of invention as set forth in 35 USC 101. The claim begin by method (ex. Preamble of claim 1), however, further on in the preamble structural components are described as part of a system. (see above rejection of claims under 35 USC 112, second paragraph, for specific details regarding this issue). "A claim

of this type is precluded by the express language of 35 USC 101 which is drafted so as

to set forth the statutory classes of invention in the alternative only", Ex parte Lyell (17

USPQ2d 1548).

Claim Rejections - 35 USC § 102

27. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

28. **Claims 1-3, 5-11, 13, 15-18, 20-23, 25-31, 33-40, 42, 44-55, 57, 59 and 64-67**

are rejected under 35 U.S.C. 102(a) as being anticipated by Price Watch:

www.pricewatch.com (April 16 1997 through May 10, 2000) hereafter Price Watch.

As per claim 1, Price Watch discloses a method for generating annotation

instructions in a system comprising a content provider computer system, a central

computer system, and a client computer system (Pages 1-3; disclose that the method

includes a content provider or retailer, the central computer system which is price watch

and a client computer system which is the customer or user interacting with the price

watch website), the method comprising:

in an electronic content document (website) retrievable from a content provider

computer system storing content documents, embedding code executable by a client

computer to invoke the central computer system to recognize key elements based on

key elements contained in a key-element list (Pages 4-12; disclose various embedded

elements which can be executed by the client or user to invoke the central computer

system to recognize these key elements or search terms based on the list, Pages 15-

25; disclose that the site can perform a query or search for the user based on the key

elements or embedded code and that this information links to a retailers website two of

these retailers are shown first Accubyte on page 18 which is listed on page 15 as the

first dealer, when the user selects the dealer from the embedded code the dealers

information pops up as a side bar offering the user additional information including the

dealers website as an additional link this can also be seen for the 3rd dealer Advanced

PCBoost whose website is shown on page 23, Page 1; discloses that the data is fed

directly to the central computer system or price watch from the resellers or retailers

which are the content service providers, from these pages it is shown that in an

electronic document in this case a webpage information from the content service

providers is presented to the user through the central computer system through the use

of embedded code and key words or key element list which allow the user to effectively

search the database for their desired items);

recognizing key elements in the document based on the key elements in the key-

element list (Page 15; discloses a Query for Motherboards with cpu AMD Athlon 700,

which was selected from the list shown on page 12 which shows the list of choices of

motherboards available to search, from this it is shown that the key elements are

recognized by the system based on the key element list); and

generating annotation instructions for the client computer system to create one or

more annotations for one or more key elements in the content document and sending

the instructions to the client computer system (Pages 15-17; disclose that upon

selecting the embedded code for the key element desired the user is brought to a query

page where the system searches the database for all of the items related to that query

thus creating or generating annotation instructions for the client or user computer where

there are numerous annotations created for everything fitting the query description, the

site shows all products fitting the description they price, cost to ship date and dealer, the

dealer information is further annotated to include another embedded link to additional

dealer information if the customer or user wishes to see this information which is shown

to the left in the column. All of this information and instruction is sent to the user through

their web browser to allow them to view the website and access the information).

As per claim 2, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the code embedded into the content document is

embedded by a computer system under the control of the party controlling the content

provider computer system (Page 1; discloses that the information can be obtained from

the content provider computer system or retailer since the data can be directly fed to the

central computer system from the resellers or the content providers).

As per claim 3, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the code embedded into the content document is

embedded by a computer system under the control of the party controlling the central

computer system (Page 1; discloses that the information can be obtained from the

central computer system or price watch since they can obtain the data themselves

directly from the websites).

As per claim 5, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the annotation for a key element is associated with

data ("key element data") that is suitable for forming a query for use by a search engine

to locate information related to the key element (Page 15; discloses a Query for

Motherboards with cpu AMD Athlon 700, which was selected from the list shown on

page 12 which shows the list of choices of motherboards available to search, from this it

is shown that the key elements are recognized by the system based on the key element

list and that the "key element data" is suitable for forming a query).

As per claim 6, Price Watch discloses the above-enclosed invention, Price

Watch further discloses further comprising using the key element data to query a

database of a computer system remote from the client system, the key element data

being sent to the remote computer by the client computer system, following a user's

selection of the annotation (Page 15; discloses a Query for Motherboards with cpu AMD

Athlon 700, which was selected from the list shown on page 12 which shows the list of

choices of motherboards available to search, from this it is shown that the key elements

are recognized by the system based on the key element list and that the "key element

data" is suitable for forming a query the user sends the query to the price watch

computer which is remote from the user's computer the key element in this case the

AMD Athlon 700 which is a search phrase is sent to the price watch computer and a

query is generated based on this information the query is then displayed to the user

through their web browser).

As per claim 7, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the search is adapted to find information about

products relating to the key elements associated with the annotation (Page 15;

discloses the search performed by the price watch computer after the user selects the

key element data, motherboards with cpu AMD Athlon 700, the user is then presented

information about each product related to those key elements the which is any product

that is a motherboard with cpu AMD Athlon 700, in this case it displays Brand, Product,

description, price, shipping and handling, Date, Dealer, State, and Part # all of this

information is found since it is relating to the search performed using the key elements

which are associated with this annotated information).

As per claim 8, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein product-related information responsive to the query is

returned to the user selecting the annotation (Page 15; discloses a Query for

Motherboards with cpu AMD Athlon 700, which was selected from the list shown on

page 12 which shows the list of choices of motherboards available to search, from this it

is shown that the key elements are recognized by the system based on the key element

list and that the "key element data" is suitable for forming a query the user sends the

query to the price watch computer which is remote from the user's computer the key

element in this case the AMD Athlon 700 which is a search phrase is sent to the price

watch computer and a query is generated based on this information the query is then

displayed to the user through their web browser).

As per claim 9, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the product-related information is in the nature of at

least one of (i) comparative product information and (ii) products listed by the production

(Page 15; discloses that the information that is presented to the user is comparative

product information since it displays the various prices for the product from different

vendors).

As per claim 10, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the information is provided in a target document that

includes means for a user to electronically retrieve additional information about a listed

product (Pages 15-37; discloses various searches and information displayed from those

different queries. Page 15 specifically shows the search query for Motherboards with

cpu AMD Athlon 700 and the first dealer listed is Accubyte, which is an embedded link

to more information about that dealer in relation to the product search, this information

is displayed to the user through the side bar which provides the user with an additional

embedded link to the dealer website which is shown on page 18, this dealer website

can provide the customer with additional information about the listed product. Page 35;

discloses a search for Software- Business Office 2000 like the other search it provides

additional information regarding this product search such as Brand which is an

embedded link to the manufacturers website which when clicked displays additional

information about that manufacturer which includes the company website which can be

used to display additional information).

As per claim 11, Price Watch discloses the above-enclosed invention, Price
Watch further discloses wherein the target document is associated with means for
making an online purchase of a listed product (Pages 15-37; discloses various searches
and information displayed from those different queries. Page 15 specifically shows the
search query for Motherboards with cpu AMD Athlon 700 and the first dealer listed is
Accubyte, which is an embedded link to more information about that dealer in relation to
the product search, this information is displayed to the user through the side bar which
provides the user with an additional embedded link to the dealer website which is shown
on page 18, this dealer website can provide the customer with additional information
about the listed product. This dealer's website is where the customer can purchase the
product).

As per claim 13, Price Watch discloses the above-enclosed invention, Price
Watch further discloses wherein following a user's selection of an annotation key
element data is sent to a remote computer system, the remote computer system uses
the data to dynamically generate data comprising a data object for sending to the client
computer system (Page 15; discloses a Query for Motherboards with cpu AMD Athlon
700, which was selected from the list shown on page 12 which shows the list of choices
of motherboards available to search, from this it is shown that the key elements are
recognized by the system based on the key element list and that the "key element data"
is suitable for forming a query the user sends the query to the price watch computer
which is remote from the user's computer the key element in this case the AMD Athlon
700 which is a search phrase is sent to the price watch computer and a query is

generated based on this information the query is then displayed to the user through

their web browser. Page 2; discloses that the information is updated regularly so the

search is dynamic since the prices are variable as can be seen on page 15 which states

"Red Prices = Price changed (during last 24 hours)" from this it is shown that when the

user submits their query the information is dynamically generated).

As per claim 15, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the data object comprises computer code executable

by the client computer system (Page 15; discloses the search result presented to the

client computer system which includes data object such as Brand link or Dealer link

which are both computer code or hyperlinks which are executable by the client

computer system).

As per claim 16, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the recognizing occurs on the central computer system

(Page 15; discloses a Query for Motherboards with cpu AMD Athlon 700, which was

selected from the list shown on page 12 which shows the list of choices of

motherboards available to search, from this it is shown that the key elements are

recognized by the Price Watch computer system based on the key element list and that

the "key element data" is suitable for forming a query the user sends the query to the

price watch computer which is remote from the user's computer the key element in this

case the AMD Athlon 700 which is a search phrase is sent to the price watch computer

and a query is generated based on this information the query is then displayed to the

user through their web browser).

As per claim 17, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the annotation instructions are generated on the central

computer system (Page 15; discloses a Query for Motherboards with cpu AMD Athlon

700, which was selected from the list shown on page 12 which shows the list of choices

of motherboards available to search, from this it is shown that the key elements are

recognized by the system based on the key element list and that the "key element data"

is suitable for forming a query the user sends the query to the price watch computer

which is remote from the user's computer the key element in this case the AMD Athlon

700 which is a search phrase is sent to the price watch computer and a query is

generated based on this information the query is then displayed to the user through

their web browser. Page 1; discloses that the annotation instructions are generated on

the central computer system or the price watch computer system since all of the

software is custom written by price watch and their staff can obtain the information from

the websites).

As per claim 18, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the annotation instructions direct the creation of a

hyperlink in association with a key element (Page 15; discloses that the instructions

include the creation of a hyperlink associated with the key element in this case it creates

many one for the brand and one for the dealer which can be used to access additional

information regarding the product including the dealer website or the manufacturers

website).

As per claim 20, Price Watch discloses a method for sending annotation instructions in a system comprising at least two computer systems (Pages 1-3; disclose that the method includes a content provider or retailer, the central computer system which is price watch and a client computer system which is the customer or user interacting with the price watch website, from this it is shown there are at least two computers the central computer system which is price watch and the client computer system which is the computer the customer or user is using to view the web page), the method comprising:

on a first computer system, receiving over a packet-switched network (the Internet) a web page, the web page corresponding to a web page presented to the user of a second computer system (Page 10; discloses a web page which is received by the user from the central computer system which is price watch);

on the first computer system, recognizing in the web page one or more predetermined key elements based on a key-element list, the key element list comprising one or more words relating to one or more products (Page 10; discloses the user is presented with various key-elements based on a key-element list which the user is able to select to search for products an example of this is Motherboards under CPU); and

sending annotation instructions from the first computer system to the second computer system for use in creating annotations on the web page presented on the second computer (Page 12; discloses if the user selects motherboards they are sent to a second page where they can select a more specific search in this case motherboards

with CPU AMD Athlon 700. Page 15 discloses the search result for the above

mentioned search query where the user is presented with the annotation instructions to

create the web page which is presented to the user).

As per claim 21, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein each key element has a corresponding identifier that

corresponds to a URL, and the annotation for a key element includes key element data

for forming a search query, the data being transmittable to a computer system with a

search engine upon user selection of an annotated key element (Page 12; discloses

that each key element is an embedded hyperlink to a URL. Page 15; discloses that the

annotation for a key element includes key element data for forming a search query

which can be seen on page 15 at the top where the query is Motherboards with cpu

AMD Athlon 700 the data is sent from price watch to the user through the search engine

upon the user selecting the annotated key element in this case the embedded link on

page 12).

As per claim 22, Price Watch discloses a method comprising sending a key list

from a remote computer system to a client computer system, the client computer having

executable code for performing one or both of annotation and recognition of key

elements on the key list, the key list comprising a set of key elements and

corresponding identifiers (Page 12; discloses that the user or client has executable code

or embedded hyper links sent from the remote central computer system, price watch,

this embedded hyper link code allows the user to select and an item to search this

selection is recognized by the system so the system can create a search or query for

this information); and the key list being adapted for the client computer to use in

performing on an electronic document presented to a user of the computer system from

a content provider computer system one or more of (i) recognizing key elements and (ii)

annotating key elements (Page 15; discloses that the key elements are recognized and

search through a query shown at the top of page 15 Motherboards with cpu AMD Athlon

700, after recognizing the key element the user is presented with an annotated list of

information which is related to the search).

    As per claim 23, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the code includes means for key elements to be

associated with a hyperlink to information related to a key element on the electronic

document (Page 12, discloses the key elements are associated with hyperlinks to

perform the query search for information related to those key elements on the electronic

document in this case a website).

    As per claim 25, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the electronic document is a web page sent over a

packet-switched network (Pages 12 and 15; discloses that the electronic document is a

web page or website which is sent over a packet-switched network the Internet).

    As per claim 26, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the client computer system has code for performing

both annotation and recognition of a web page received from a content provider (Pages

12 and 15; disclose that the user is presented with a website or web page in which they

are presented with key elements to search each of these key elements is associated

with a hyperlink which allows the system to recognize which key elements they want to search and display them a web page annotated with information related to those key elements from this it is shown that the client or user computer system has the code or embedded hyperlinks for performing both annotation of the information and the recognition of a web page).

As per claim 27, Price Watch discloses a method in a system comprising at least a content provider computer system and a consumer computer system (Pages 1-3; disclose that the method includes a content provider or retailer, the central computer system which is price watch and a client computer system which is the customer or user interacting with the price watch website), the method comprising:

on a first computer system, receiving an electronic document with at least one predetermined key element (Page 18; discloses the user is presented with the retailers website which is a predetermined key element presented to the user on page 15 in relation to a query search performed on the central computer system or price watch);

from a second computer system, knowing the identity of the electronic document received on the first computer system, sending instructions to the first computer system for presenting to the user of the first computer system one or more hyperlinks related to a key element on the electronic document so the user may retrieve data or information related to the key element, the key element being contained in a key-element list, wherein the second computer system did not provide the electronic document received on the first computer system (Page 15; discloses that the user is presented a website with search results the results containing key element lists of dealers and brands upon

the central computer system or price watch knowing the identity of the dealer the user

wants information on the user is presented with a hyperlink for that dealer which brings

up additional information on the dealer including but not limited to the dealer website

which is the electronic document the user is presented with, in this case the central

computer system did not provide the electronic document but rather only provided

additional information on that document).

    As per claim 28, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the instructions to the first computer system are usable

by that system to annotate the electronic document with data corresponding to an

identifier for to a key element (Page 12; discloses that the user can select key elements

and a search is performed the search results are annotated with information

corresponding to the identifier for a key element which include dealer name in this case

Accubyte which when selected adds additional information which appears in the side

bar of the website this information includes the dealer website. Page 1; discloses that all

this information can be supplied to the central computer system or price watch through

the dealers directly).

    As per claim 29, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the electronic document includes code executable by

the second computer system to generate annotation instructions that are sent to the first

computer system for use in generating the hyperlink (Page 1; discloses that all the

information on the price watch system can be supplied to the central computer system

or price watch through the dealers directly. Pages 10-12 and 15; discloses websites that

are sent to the first computer page 10 shows a set of selections which allow the user to

see another website where additional hyperlinks are generated and displayed).

As per claim 30, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the electronic document is a web page, and prior to

being received by the first computer system, a code executable by the first computer

system embedded in the web page, the code being capable of invoking the second

computer to generate annotation instructions for the first computer system (Pages 12

and 15; disclose a web page or website, in which the user is presented with a list of

embedded hyperlinks which invoke the second computer to generate annotation

instructions for the first computer in the form the search results shown on page 15).

As per claim 31, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the code is executable by the second computer to

retrieve a web page corresponding to the one received on the first computer system, the

second computer recognizing predetermined key elements on the web page and

sending annotation instructions to the first computer system for annotation of the web

page on the first computer system (Pages 12 and 15; disclose a web page or website,

in which the user is presented with a list of embedded hyperlinks which invoke the

second computer to generate annotation instructions for the first computer in the form

the search results shown on page 15).

As per claim 33, Price Watch discloses a method in a system comprising at

least two computer systems (Pages 1-3; disclose that the method includes a content

provider or retailer, the central computer system which is price watch and a client

computer system which is the customer or user interacting with the price watch

website), the method comprising:

from a first computer system, providing a second computer system a set of

predetermined key elements and corresponding identifiers for use in creating

annotations for key elements on an electronic document, the annotations are being

made in addition to those native to the original document, as renderably received by the

first computer system (Pages 12 and 15; disclose that the user is presented with a

website or web page in which they have a list of key elements which are used to create

annotations as shown on page 15, these annotations are made in addition to the

original data such as the key element all of this is displayed to the user);

receiving from the second computer system data associated with an annotation

for a key element ("key element data") following selection of an annotation by a user of

the second computer system, wherein the annotation was created by the second

computer system using the key elements and corresponding identifiers provided by the

first computer system (Page 15; discloses the search query for the key element data

selected by the user the system receives the information from the second computer is

used to create the search query);

retrieving or generating data or information responsive to the key element data

received from the second computer system (Page 15; discloses that the system

displays a search query result based on the information gathered or retrieved from the

second computer);

sending the information to a computer system or output device associated with

the user selecting the annotation (Page 15; discloses that the search results are

displayed to the user through the web page); and

wherein the first computer includes recognition and annotation modules and the

key element data is based on selection of an annotation and is sent following the

operation of recognition/annotation modules to identify and annotate key elements in

the document that were not previously annotated by a content provider providing the

document (Page 1; discloses that dealers or retails provide the information to the central

computer system or price watch and that this information is used to create the database

search results. Page 12; discloses a list of key elements the user or client can use to

conduct a search. Page 15; disclose that the system recognizes the information and

conducts a database search based on this information, the system then supplies the

users with annotated information that includes the product of question and the available

information on that product such as dealer information price and date that price was

known).

As per claim 34, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the key element data is suitable for forming a query for

use by a search engine to locate information related to the key element, the key

element data being transferred over a packet-switched network to another computer

system (Page 15; discloses a Query for Motherboards with cpu AMD Athlon 700, which

was selected from the list shown on page 12 which shows the list of choices of

motherboards available to search, from this it is shown that the key elements are

recognized by the system based on the key element list and that the "key element data"

is suitable for forming a query, since the query is provided to the user over the Internet it

is transferred over a packet-switched network from one computer to another).

As per claim 35, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the information relates to products relating to the key

element (Page 15; discloses the search performed by the price watch computer after

the user selects the key element data, motherboards with cpu AMD Athlon 700, the user

is then presented information about each product related to those key elements the

which is any product that is a motherboard with cpu AMD Athlon 700, in this case it

displays Brand, Product, description, price, shipping and handling, Date, Dealer, State,

and Part # all of this information is found since it is relating to the search performed

using the key elements which are associated with this annotated information).

As per claim 36, Price Watch discloses the above-enclosed invention, Price

Watch further discloses further comprising using the key element data to formulate a

query in a database coupled to the other computer system and sending product-related

information generated from the query to the user selecting the annotation (Page 15;

discloses that the key element data is used to formulate a query in a database coupled

to the other computer system and that product-related information is generated from the

query based on the users selection in this case the user is presented product

information related to the selection of a motherboard with cpu AMD Athlon 700).

As per claim 37, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the product-related information includes products listed

by product category (Page 15; disclose that product related information includes

products listed by product category in this case the product description shows that this

is a SD11 - Slot A motherboard which is the product category).

As per claim 38, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the product-related information includes comparative

product information (Page 15; discloses that the product-related information includes

comparative pricing information for each of the products).

As per claim 39, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the information is provided in a target document that

includes means for a user to electronically retrieve additional information about a listed

product (Page 15; discloses that the user can access additional information about the

product through the hyperlink provided by the brand and the dealer).

As per claim 40, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the target document is associated with means for

making an online purchase of a listed product (Pages 15-37; discloses various searches

and information displayed from those different queries. Page 15 specifically shows the

search query for Motherboards with cpu AMD Athlon 700 and the first dealer listed is

Accubyte, which is an embedded link to more information about that dealer in relation to

the product search, this information is displayed to the user through the side bar which

provides the user with an additional embedded link to the dealer website which is shown

on page 18, this dealer website can provide the customer with additional information

about the listed product. This dealer's website is where the customer can purchase the product).

As per claim 42, Price Watch discloses the above-enclosed invention, Price Watch further discloses wherein the key element data is used to dynamically generate data comprising a data object for sending to the second computer system (Page 15; discloses a Query for Motherboards with cpu AMD Athlon 700, which was selected from the list shown on page 12 which shows the list of choices of motherboards available to search, from this it is shown that the key elements are recognized by the system based on the key element list and that the "key element data" is suitable for forming a query the user sends the query to the price watch computer which is remote from the user's computer the key element in this case the AMD Athlon 700 which is a search phrase is sent to the price watch computer and a query is generated based on this information the query is then displayed to the user through their web browser. Page 2; discloses that the information is updated regularly so the search is dynamic since the prices are variable as can be seen on page 15 which states "Red Prices = Price changed (during last 24 hours)" from this it is shown that when the user submits their query the information is dynamically generated).

As per claim 44, Price Watch discloses the above-enclosed invention, Price Watch further discloses wherein the data object comprises computer code executable by the second computer system (Page 15; discloses the search result presented to the client computer system which includes data object such as Brand link or Dealer link

which are both computer code or hyperlinks which are executable by the client

computer system).

As per claim 45, Price Watch discloses a method for use on a system of

networked computers (Pages 1-3; disclose that the method includes a content provider

or retailer, the central computer system which is price watch and a client computer

system which is the customer or user interacting with the price watch website), the

method comprising:

from a first central computer system, transmitting to a consumer computer

system a consumer code executable on the consumer computer system for (i)

recognizing predetermined key elements on an electronic document and (ii) annotating

the key elements by associating recognized key elements with a URL for a second

computer system, the address being determinable from a key list comprising a set of

key elements and corresponding identifiers (Page 12; discloses sending a user

computer a list of key elements that can be search by the central computer system this

information is displayed to the user through an electronic document such as a website

in which the key element data is embedded code displayed to the user through

hyperlinks. These hyperlinks refer to URLs in which the system will use to determine

what key elements have been selected and present the user annotated information

regarding their selection).

As per claim 46, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the code is executable to recognize and annotate key

elements on a web page received from a content provider computer system (Page 1;

discloses that the information can be gathered by the price watch staff from the dealer's

or retailer's websites or from the dealers directly. Pages 12 and 15; disclose that the

code selected on page 12 can produce the query on page 15 all of this information is

displayed through the use of web pages and as discussed above the information is

provided by the content provider computer system or the dealer website).

As per claim 47, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein one or more key elements comprise one or more words

(Page 12; discloses that the key elements that are searchable by the system are made

up of one or more words for example motherboards with cpu AMD Athlon 700 is a

phrase that is searched on page 15 and this comprises one or more words).

As per claim 48, Price Watch discloses a computer code stored in memory on a

central computer system and executable thereon (Pages 1 and 2; disclose that price

watch runs the website pricewatch.com in which they store and execute the code for the

search engine, data entry, spider and updating information), the code being invokable

on the central computer system by a client computer system to generate annotation

instructions for the client computer system to associate annotations with key elements

on an electronic page received by the client computer system from a content provider

computer system (Page 1; discloses that the information is acquired from retailers or

dealers which are considered to be content providers and this information is gathered

from the content providers web pages. Pages 12 and 15; disclose that the user receives

a list of key elements that can be searched by the system and the user is able to invoke

or select any one of these key elements in order to produce a search query which

displays an electronic page or web page which displays content that was acquired from

the content provider), the key elements being contained in a key element list, wherein

the annotations are being made in addition to those native to the original document, as

renderably received by the first computer system and the annotation comprises a

hyperlink and an item selected from the group consisting of a script, executable code,

an additional hyperlink, and formatting (Page 15; discloses that the after selecting an

item from the key element list on page 12 the user is presented with a page displaying

the query in this case motherboards with cpu AMD Athlon 700. This list of information

includes data that is additional to the original information in that that includes

motherboards fitting the description along with the brand, product, description, price,

shipping and handing, date, dealer, state and product number, this information also

comprises formatting, and executable code inform of hyperlinks for the dealers and the

brands which will display additional information in the side bar for the customer to see).

As per claim 49, Price Watch discloses a computer code stored in memory on a

first computer system comprising the computer of a consumer and executable thereon

(Pages 1 and 2; discloses that Price Watch runs a website which is displayed to users

to help them search for product information, when accessing the site the user loads the

html code on to their computer which is then stored into memory and executed thereon),

the code being adapted to (i) recognize predetermined key elements on an electronic

document received from a content provider computer system, the predetermined key

elements being contained in a set of key elements (Page 1; disclose that the information

stored in the system is received from the dealers or retailers either from their websites

or from them directly. Pages 10-12; discloses that the user is presented with a website

in which key element data is presented to them), and (ii) create an annotation for a key

element by associating recognized key elements with an identifier corresponding to the

address of a second computer system (Page 15; discloses that the user can select a

key element from page 12 and the system recognizing the key element creates an

search query of the element and displays the annotated results to the user), the

identifier being determined from the set of key elements and corresponding identifiers

stored on the first computer system (Page 12; discloses the identifier is determined from

a set of key elements in this case a list of motherboards now stored on the first

computer system), and wherein, the annotation is being made in addition to those native

to the original document, as renderably received by the first computer system and the

annotation comprises a hyperlink and an item selected from the group consisting of a

script, executable code, an additional hyperlink, and formatting (Page 15; discloses that

the after selecting an item from the key element list on page 12 the user is presented

with a page displaying the query in this case motherboards with cpu AMD Athlon 700.

This list of information includes data that is additional to the original information in that

that includes motherboards fitting the description along with the brand, product,

description, price, shipping and handing, date, dealer, state and product number, this

information also comprises formatting, and executable code inform of hyperlinks for the

dealers and the brands which will display additional information in the side bar for the

customer to see).

As per claim 50, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the code is adapted to recognize and annotate an

electronic document comprising a web page received by the first computer system from

a content provider over a packet switched network and the code uses a key list

comprising the set of key elements and identifiers, the identifiers corresponding to one

or more URLs (Pages 12 and 15; discloses that the user is presented with a list of key

elements displayed to them through a web page, and that upon selecting the

corresponding key element which is displayed to them through a hyperlink containing a

URL the users system receives an additional web page which is shown on page 15.

This web page contains the search results for the query motherboards with cpu AMD

Athlon 700 the results are annotated information related to the query, which is a list of

products fitting that description, this is done over a packet switched network since it is

done over the Internet).

As per claim 51, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the code is adapted to recognize and annotate the web

page using a key list with at least one key element comprising one or more words (Page

12; discloses that the key elements that are searchable by the system are made up of

one or more words for example motherboards with cpu AMD Athlon 700 is a phrase that

is searched on page 15 and this comprises one or more words).

As per claim 52, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the code is adapted to retrieve a key list from a remote

computer system (Page 15; discloses a Query for Motherboards with cpu AMD Athlon

700, which was selected from the list shown on page 12 which shows the list of choices

of motherboards available to search, from this it is shown that the key elements are

recognized by the system based on the key element list and that the "key element data"

is suitable for forming a query the user sends the query to the price watch computer

which is remote from the user's computer the key element in this case the AMD Athlon

700 which is a search phrase is sent to the price watch computer and a query is

generated based on this information the query is then displayed to the user through

their web browser).

As per claim 53, Price Watch discloses a computer system comprising:

a first computer system in networked communication with a plurality of other

computer systems, at least one of which is a content provider computer system (Pages

1-3; disclose that the method includes a content provider or retailer, the central

computer system which is price watch and a client computer system which is the

customer or user interacting with the price watch website);

means in the first computer for receiving an electronic page with content from a

content provider computer system storing content pages (Page 1; discloses that the

content provider computer system is the website run by the dealer or retailer and that

the price watch computer system acquires this data either directly from the dealer or

retailer or through their website. The first computer can receive an electronic page with

content from the provider by accessing the Price Watch website pricewatch.com);

a key list stored on the system comprising a set of key elements and

corresponding identifiers that correspond to addresses for electronic information or data

that are relevant to a key element (Page 12; discloses that the user is presented with a web page that contains a set or list of key elements which correspond to identifiers of products that can be searched in the system. These identifiers or key elements are represented by embedded hyperlinks which act as addresses for electronic information that is relevant to the key elements);

a recognizer module stored on the system for parsing a page received from the content provider computer system and identifying on the electronic page one or more listed key elements matching to predetermined key elements in the stored key list (Pages 12 and 15; disclose that upon selecting one of the key elements the system recognize or determines which element the user wishes to display results for and creates a query which is then displayed to the user as shown on page 15);

an annotation module stored on the system for associating identified key elements with an annotation from the key list so that a user presented the electronic page can retrieve information related to the key element by selecting the annotation (Page 15; discloses that after recognizing what the user wishes to search the system searches for information relevant to that key element and displays this annotated information to the user); and

wherein the annotation module recognizes and annotates key elements in the document that were not previously recognized and/or annotated by the content provider providing the document and the annotation comprises a hyperlink and an item selected from the group consisting of a script, executable code, an additional hyperlink, and formatting (Page 15; discloses that the after selecting an item from the key element list

on page 12 the user is presented with a page displaying the query in this case

motherboards with cpu AMD Athlon 700. This list of information includes data that is

additional to the original information in that that includes motherboards fitting the

description along with the brand, product, description, price, shipping and handing, date,

dealer, state and product number, this information also comprises formatting, and

executable code inform of hyperlinks for the dealers and the brands which will display

additional information in the side bar for the customer to see).

As per claim 54, Price Watch discloses a web document stored in memory on a

server (Page 1; discloses that the website is created by Price Watch is stored on their

computer systems at pricewatch.com), the web document containing code executable

by a client computer system enabling the client computer to invoke a remote computer

system to generate annotation instructions that are returned to the client computer

system (Pages 12 and 15; disclose that the user is able to access a web page in which

they can view a list of key elements which are embedded hyperlinks that will direct the

user to a URL in which a query will be performed for their desired product. Page 15

specifically discloses that upon selecting the corresponding key element the user is

presented with a query for that product which has annotated search results), each

annotation instruction corresponding to a key element contained in a key element list

(Pages 12 and 15; disclose that the search result is for the key element motherboards

with cpu AMD Athlon 700), the annotation instructions being used by the client

computer system to create an annotation for a predetermined key element on the web

document, and wherein the annotations are being made in addition to those native to

the original document, as renderably received by the first computer system; and

wherein the client computer system recognizes and annotates key elements in the

document that were not previously recognized and/or annotated by the content provider

providing the document (Page 15; discloses that the after selecting an item from the key

element list on page 12 the user is presented with a page displaying the query in this

case motherboards with cpu AMD Athlon 700. This list of information includes data that

is additional to the original information in that that includes motherboards fitting the

description along with the brand, product, description, price, shipping and handing, date,

dealer, state and product number, this information also comprises formatting, and

executable code inform of hyperlinks for the dealers and the brands which will display

additional information in the side bar for the customer to see).

As per claim 55, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the key element comprises one or more words (Page

12; discloses that the key elements that are searchable by the system are made up of

one or more words for example motherboards with cpu AMD Athlon 700 is a phrase that

is searched on page 15 and this comprises one or more words).

As per claim 57, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the server is controlled by a party other then the party

that is the source of the web document (Pages 1 and 2; disclose that the website is

controlled by Price Watch and the information source is gathered from the dealers or

retailers and their corresponding web pages).

As per claim 59, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the executable code comprises instructions directing

the client computer system to access a URL for the remote computer system (Page 15;

discloses a Query for Motherboards with cpu AMD Athlon 700, which was selected from

the list shown on page 12 which shows the list of choices of motherboards available to

search, from this it is shown that the key elements are recognized by the system based

on the key element list which are embedded hyperlinks correspond to URLs and that

the "key element data" is suitable for forming a query the user sends the query to the

price watch computer which is remote from the user's computer the key element in this

case the AMD Athlon 700 which is a search phrase is sent to the price watch computer

and a query is generated based on this information the query is then displayed to the

user through their web browser).

As per claim 64, Price Watch discloses a method for generating annotation

instructions in a system comprising a content provider computer system, a central

computer system, and a client computer system (Pages 1-3; disclose that the method

includes a content provider or retailer, the central computer system which is price watch

and a client computer system which is the customer or user interacting with the price

watch website), the method comprising:

in an electronic content document (web site) retrievable from a content provider

computer system storing content documents, embedding code executable by a client

computer to invoke the central computer system to recognize key elements based on

key elements contained in a key-element list (Pages 4-12; disclose various embedded

elements which can be executed by the client or user to invoke the central computer

system to recognize these key elements or search terms based on the list, Pages 15-

25; disclose that the site can perform a query or search for the user based on the key

elements or embedded code and that this information links to a retailers website two of

these retailers are shown first Accubyte on page 18 which is listed on page 15 as the

first dealer, when the user selects the dealer from the embedded code the dealers

information pops up as a side bar offering the user additional information including the

dealers website as an additional link this can also be seen for the 3rd dealer Advanced

PCBoost whose website is shown on page 23, Page 1; discloses that the data is fed

directly to the central computer system or price watch from the resellers or retailers

which are the content service providers, from these pages it is shown that in an

electronic document in this case a webpage information from the content service

providers is presented to the user through the central computer system through the use

of embedded code and key words or key element list which allow the user to effectively

search the database for their desired items);

recognizing key elements in the document based on the key elements in the key-

element list (Page 15; discloses a Query for Motherboards with cpu AMD Athlon 700,

which was selected from the list shown on page 12 which shows the list of choices of

motherboards available to search, from this it is shown that the key elements are

recognized by the system based on the key element list);

generating annotation instructions for the client computer system to create one or

more annotations for one or more key elements in the content document and sending

the instructions to the client computer system (Pages 15-17; disclose that upon

selecting the embedded code for the key element desired the user is brought to a query

page where the system searches the database for all of the items related to that query

thus creating or generating annotation instructions for the client or user computer where

there are numerous annotations created for everything fitting the query description, the

site shows all products fitting the description they price, cost to ship date and dealer, the

dealer information is further annotated to include another embedded link to additional

dealer information if the customer or user wishes to see this information which is shown

to the left in the column. All of this information and instruction is sent to the user through

their web browser to allow them to view the website and access the information); and

wherein the central computer system recognizes key elements in the document

that were not previously recognized and/or annotated by the content provider providing

the document to the client computer system (Page 15; discloses that the after selecting

an item from the key element list on page 12 the user is presented with a page

displaying the query in this case motherboards with cpu AMD Athlon 700. This list of

information includes data that is additional to the original information or data that was

not recognized in that that includes motherboards fitting the description along with the

brand, product, description, price, shipping and handing, date, dealer, state and product

number, this information also comprises formatting, and executable code inform of

hyperlinks for the dealers and the brands which will display additional information in the

side bar for the customer to see. Additionally the central computer system provides all

available dealers and retails which the content providers themselves would not provide).

As per claim 65, Price Watch discloses a method in a system comprising at

least a content provider computer system, a central computer system, and a consumer

computer system (Pages 1-3; disclose that the method includes a content provider or

retailer, the central computer system which is price watch and a client computer system

which is the customer or user interacting with the price watch website), the method

comprising:

on the consumer computer system, receiving an electronic document from the

content provider computer system with at least one predetermined key element (Page

18; discloses the user is presented with the retailers website which is a predetermined

key element presented to the user on page 15 in relation to a query search performed

on the central computer system or price watch);

from a central computer system, knowing the identity of the electronic document

received on the consumer computer system, sending instructions to the consumer

computer system for presenting to the user of the consumer computer system one or

more hyperlinks related to a key element on the electronic document so the user may

retrieve data or information related to the key element, the key element being contained

in a key-element list, wherein the central computer system did not provide the electronic

document received on the consumer computer system (Page 15; discloses that the user

is presented a website with search results the results containing key element lists of

dealers and brands upon the central computer system or price watch knowing the

identity of the dealer the user wants information on the user is presented with a

hyperlink for that dealer which brings up additional information on the dealer including

but not limited to the dealer website which is the electronic document the user is

presented with, in this case the central computer system did not provide the electronic

document but rather only provided additional information on that document).

As per claim 66, Price Watch discloses a method for use on a system of

networked computers (Pages 1-3; disclose that the method includes a content provider

or retailer, the central computer system which is price watch and a client computer

system which is the customer or user interacting with the price watch website), the

method comprising:

from a first central computer system, transmitting to a consumer computer

system a consumer code executable on the consumer computer system for (i)

recognizing predetermined key elements on an electronic document and (ii) annotating

the key elements by associating recognized key elements with a URL for a second

computer system computer system, the address being determinable from a key list

comprising a set of key elements and corresponding identifiers (Page 12; discloses

sending a user computer a list of key elements that can be search by the central

computer system this information is displayed to the user through an electronic

document such as a website in which the key element data is embedded code

displayed to the user through hyperlinks. These hyperlinks refer to URLs in which the

system will use to determine what key elements have been selected and present the

user annotated information regarding their selection); and

wherein the key list is stored on and used by the consumer computer system to

recognize key elements in the electronic document that were not previously recognized

and/or annotated by the content provider providing the document to the consumer

computer system (Page 15; discloses that the after selecting an item from the key

element list on page 12 the user is presented with a page displaying the query in this

case motherboards with cpu AMD Athlon 700. This list of information includes data that

is additional to the original information or data that was not recognized in that that

includes motherboards fitting the description along with the brand, product, description,

price, shipping and handing, date, dealer, state and product number, this information

also comprises formatting, and executable code inform of hyperlinks for the dealers and

the brands which will display additional information in the side bar for the customer to

see. Additionally the central computer system provides all available dealers and retails

which the content providers themselves would not provide).

As per claim 67, Price Watch discloses a computer code stored in memory on a

central computer system and executable thereon (Pages 1 and 2; disclose that price

watch runs the website pricewatch.com in which they store and execute the code for the

search engine, data entry, spider and updating information), the code being invokable

on the central computer system by a client computer system to generate annotation

instructions for the client computer system to associate annotations with key elements

on an electronic page received by the client computer system from a content provider

computer system (Page 1; discloses that the information is acquired from retailers or

dealers which are considered to be content providers and this information is gathered

from the content providers web pages. Pages 12 and 15; disclose that the user receives

a list of key elements that can be searched by the system and the user is able to invoke

or select any one of these key elements in order to produce a search query which

displays an electronic page or web page which displays content that was acquired from

the content provider), the key elements being contained in a key element list, wherein

the annotations are being made in addition to those native to the original document, as

renderably received by the first computer system (Page 15; discloses that the after

selecting an item from the key element list on page 12 the user is presented with a page

displaying the query in this case motherboards with cpu AMD Athlon 700. This list of

information includes data that is additional to the original information in that that

includes motherboards fitting the description along with the brand, product, description,

price , shipping and handing, date, dealer, state and product number, this information

also comprises formatting, and executable code inform of hyperlinks for the dealers and

the brands which will display additional information in the side bar for the customer to

see), and wherein the computer code operates to recognize and annotate key elements

in the document that were not previously recognized and/or annotated by the content

provider providing the document to the client computer system, (Page 15; discloses that

the after selecting an item from the key element list on page 12 the user is presented

with a page displaying the query in this case motherboards with cpu AMD Athlon 700.

This list of information includes data that is additional to the original information or data

that was not recognized in that that includes motherboards fitting the description along

with the brand, product, description, price, shipping and handing, date, dealer, state and

product number, this information also comprises formatting, and executable code inform

of hyperlinks for the dealers and the brands which will display additional information in

the side bar for the customer to see. Additionally the central computer system provides

all available dealers and retails which the content providers themselves would not

provide).

Claim Rejections - 35 USC § 103

29.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

30.   **Claims 4, 32, 56 and 58 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Price Watch, in view of Ryan Kelley: "You can't inspect that

blouse or shirt" (July 21, 1997) hereafter Kelly.

        As per claim 4, Price Watch discloses the above-enclosed invention, Price

Watch fails to explicitly discloses wherein, the code embedded into the content

document is embedded by a party controlling a computer system associated with the

Internet service provider for the client computer system ().

        Kelley, which talks about an Internet provider AOL, teaches code embedded into

the content document is embedded by a party controlling a computer system associated

with the Internet service provider for the client computer system (Page 1, abstract;

teaches that AOL runs their own home shopping channel with sellers such as Godiva,

Eddie Bauer, and FAO Schwartz through the Internet service provider AOL the users or

clients are able to browse the electronic storefronts, this includes about 400 specialized

merchants on the web page and each is approved by AOL, from this it would have been

obvious that an Internet service provider such as AOL who provides its clients with

online shopping information would have used a system similar to price watch to allow

their customers to comparison shop).

Therefore, from this teaching of Kelley, it would have been obvious to one having

ordinary skill in the art at the time the invention was made to modify the method of

generating annotation instructions provided by Price Watch, with the control of the

computer system by the Internet service provider as taught by Kelley for the purpose of

the Internet service provider offering their customers a chance to comparison shop as

shown in Price Watch. This would help the customer see which vendors are carrying the

products they are interested and see additional information available all in one central

location.

As per claim 32, Price Watch discloses the above-enclosed invention, Price

Watch fails to explicitly disclose wherein the code is embedded in the electronic

document by a computer system of an Internet service provider that serves as a conduit

for the electronic page received by the first computer system.

Kelley, which talks about an Internet provider AOL, teaches code is embedded in

the electronic document by a computer system of an Internet service provider that

serves as a conduit for the electronic page received by the first computer system (Page

1, abstract; teaches that AOL runs their own home shopping channel with sellers such

as Godiva, Eddie Bauer, and FAO Schwartz through the Internet service provider AOL

the users or clients are able to browse the electronic storefronts, this includes about 400

specialized merchants on the web page and each is approved by AOL, from this it

would have been obvious that an Internet service provider such as AOL who provides

its clients with online shopping information would have used a system similar to price

watch to allow their customers to comparison shop).

Therefore, from this teaching of Kelley, it would have been obvious to one having

ordinary skill in the art at the time the invention was made to modify the method of

generating annotation instructions provided by Price Watch, with the control of the

computer system by the Internet service provider as taught by Kelley for the purpose of

the Internet service provider offering their customers a chance to comparison shop as

shown in Price Watch. This would help the customer see which vendors are carrying the

products they are interested and see additional information available all in one central

location.

As per claim 56, Price Watch discloses the above-enclosed invention, Price

Watch fails to explicitly disclose wherein the server is a content server.

Kelley, which talks about an Internet provider AOL, teaches wherein the server is

a content server (Page 1, abstract; teaches that AOL runs their own home shopping

channel with sellers such as Godiva, Eddie Bauer, and FAO Schwartz through the

Internet service provider AOL the users or clients are able to browse the electronic

storefronts, this includes about 400 specialized merchants on the web page and each is

approved by AOL, from this it would have been obvious that an Internet service provider

such as AOL who provides its clients with online shopping information would have used

a system similar to price watch to allow their customers to comparison shop).

Therefore, from this teaching of Kelley, it would have been obvious to one having

ordinary skill in the art at the time the invention was made to modify the method of

generating annotation instructions provided by Price Watch, with the control of the

computer system by the Internet service provider or content server as taught by Kelley

for the purpose of the Internet service provider offering their customers a chance to

comparison shop as shown in Price Watch. This would help the customer see which

vendors are carrying the products they are interested and see additional information

available all in one central location.

As per claim 58, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the server is controlled by the party controlling the

Internet service provider that serves as a conduit for delivery of the web document to

the client computer system.

Kelley, which talks about an Internet provider AOL, teaches server is controlled

by the party controlling the Internet service provider that serves as a conduit for delivery

of the web document to the client computer system (Page 1, abstract; teaches that AOL

runs their own home shopping channel with sellers such as Godiva, Eddie Bauer, and

FAO Schwartz through the Internet service provider AOL the users or clients are able to

browse the electronic storefronts, this includes about 400 specialized merchants on the

web page and each is approved by AOL, from this it would have been obvious that an

Internet service provider such as AOL who provides its clients with online shopping

information would have used a system similar to price watch to allow their customers to comparison shop).

Therefore, from this teaching of Kelley, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of generating annotation instructions provided by Price Watch, with the control of the computer system by the Internet service provider as taught by Kelley for the purpose of the Internet service provider offering their customers a chance to comparison shop as shown in Price Watch. This would help the customer see which vendors are carrying the products they are interested and see additional information available all in one central location.

31.   **Claims 12, 14, 41 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Price Watch.**

As per claim 12, Price Watch discloses the above-enclosed invention, Price Watch fails to explicitly disclose wherein the key element data associated with the annotation corresponds to the URL for a static document available over the Internet.

However, Price Watch discloses on page 2 that the information does not change every day, therefore the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of the invention that if the information regarding the product does not change the URL that the annotation corresponds to would be for a static document since it never changes.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of generating annotation

instructions provided by Price Watch with the document being static since if the information never changes the document can remain static and unchanged. It would have been obvious that the document need only change if the information does, otherwise the document itself remains unchanged and static.

As per claim 41, Price Watch discloses the above-enclosed invention, Price Watch fails to explicitly disclose wherein the key element data comprises the URL for a static document available over the Internet.

However, Price Watch discloses on page 2 that the information does not change every day, therefore the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of the invention that if the information regarding the product does not change the URL that the annotation corresponds to would be for a static document since it never changes.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of generating annotation instructions provided by Price Watch with the document being static since if the information never changes the document can remain static and unchanged. It would have been obvious that the document need only change if the information does, otherwise the document itself remains unchanged and static.

As per claims 14 and 43, Price Watch discloses the above-enclosed invention, Price Watch further discloses wherein the data object comprises images (Page 40; discloses that the data object comprises images).

Price Watch fails to explicitly disclose streaming media. However the Examiner asserts it would have been obvious to one having ordinary skill at the time of the invention that the images shown in Price Watch could be replaced with any form of media such as streaming media as technology changes and is updated it would have been obvious to include a more detailed image or file to help sell the product. With clients or users getting faster connections it would have been obvious to supply them with a more detailed visual description of the products.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of generating annotation instructions provided by Price Watch with including data objects as streaming media since with users having access to high band widths it would have been obvious to supply them with a more detailed visual description of the product.

Further, while it would have been obvious to use any form of media the type of media is considered to be non-functional descriptive material since it does not change or alter the steps of the method in anyway. When presented with a claim comprising descriptive material, an Examiner must determine whether the claimed non-functional descriptive material should be given patentable weight. The Patent and Trademark Office (PTO) must consider all claim limitations when determining patentability of an invention over the prior art. In re Gulack, 703 F.2d at 1384-85, 217 USPQ at 403; see also Diamond v. Diehr, 450 U.S. 175, 191,209 USPQ 1, 10 (1981). However, the examiner need not give patentable weight to descriptive material absent a new and unobvious functional relationship between the descriptive material and the substrate.

See In re Lowry, 32 F.3d 1336. 1338, 70 USPQ2d 1862, 1863-64 (Fed. Cir. 2004).

Thus, when the prior art describes all the claimed structural and functional relationships

between the descriptive material and the substrate, but the prior art describes a different

descriptive material than the claim, then the descriptive material is non-functional and

will not be given any patentable weight. Such a scenario presents no new and

unobvious functional relationship between the descriptive material and the substrate.

The Examiner asserts that the type of media adds little, if anything, to the claimed steps

of the method and thus does not serve as limitations on the claims to distinguish over

the prior art. Any differences related merely to the meaning and information conveyed

through data which does not explicitly alter or impact the steps is non-functional

descriptive data. Except for the meaning to the human mind, the type of media or data

displayed does not functionally relate to the substrate and thus does not change the

steps of the method as claimed. The subjective interpretation of the data does not

patentably distinguish the claimed invention.

32.   **Claims 19 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over Price Watch, in view of PR Newswire: "Check Point Software Technologies

and Trend Micro Team to Combat Internet Gateway Security Threats" (October 5,

1998) hereafter Newswire.

        As per claim 19, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the annotation instructions direct the creation of

additional information displayed to the user with links to information related to a key

element recognized by the recognizer (Page 15; discloses that upon clicking on the

embedded hyperlink for the dealer in this case Accubyte additional information is

displayed in the side bar which includes the dealers website which can be access

through a hyperlink all of this information is related to the key element recognized by the

recognizer which is the search query of motherboards with cpu AMD Athlon 700).

Price Watch fails to explicitly disclose this information being displayed to the user

through a pop-up window.

Newswire, which talks about software for security, teaches that it is old and well

known for software to display information to users through a pop-up window (Page 1,

abstract paragraph 2; teaches that the program will convey information to users through

a pop-up window, it would have been obvious to use such a design technique in Price

Watch instead of the information appearing in the side bar since it is an old and well

know method of conveying information to users).

Therefore, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to modify the method of generating annotation

instructions provided by Price Watch with the use of pop-up windows as shown in

Newswire, since it is an old and well know method of conveying information to users

and is merely a design choice.

As per claim 24, Price Watch discloses the above-enclosed invention, Price

Watch further discloses wherein the code includes means for key elements to be

associated with a side bar of information displaying at least one link to information

related to a key element on the electronic document (Page 15; discloses that upon

clicking on the embedded hyperlink for the dealer in this case Accubyte additional

information is displayed in the side bar which includes the dealers website which can be

access through a hyperlink all of this information is related to the key element

recognized by the recognizer which is the search query of motherboards with cpu AMD

Athlon 700).

Price Watch fails to explicitly disclose this information being displayed to the user

through a pop-up window.

Newswire, which talks about software for security, teaches that it is old and well

known for software to display information to users through a pop-up window (Page 1,

abstract paragraph 2; teaches that the program will convey information to users through

a pop-up window, it would have been obvious to use such a design technique in Price

Watch instead of the information appearing in the side bar since it is an old and well

know method of conveying information to users).

Therefore, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to modify the method of generating annotation

instructions provided by Price Watch with the use of pop-up windows as shown in

Newswire, since it is an old and well know method of conveying information to users

and is merely a design choice.

Response to Arguments

33.   Applicant's arguments filed June 26, 2008 have been fully considered but they

are not persuasive.

34.   Applicant's arguments with respect to claims 1-59 and 64-67 have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to PAUL R. FISHER whose telephone number is (571)270-
5097. The examiner can normally be reached on Mon/Fri [8am/4:30pm].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Janice Mooneyham can be reached on (571)272-6805. The fax phone
number for the organization where this application or proceeding is assigned is 571-
273-8300.

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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PRF
     /Dennis Ruhl/
     Primary Examiner, Art Unit 3689